

REMARKS

With respect to the objection to the specification that is made on page 2 of the Office Action, the applicant points out that lines 2-4 on page 3 of the original application were amended in the Amendment of December of 2007. If the Examiner finds that the meaning of the amended lines is not clear, it is respectfully requested that the Examiner state more specifically what is not clear.

With respect to the Examiner's request that the drainage groove in the bottom sash member be denoted, the number "231" has been added to Fig. 5. The drainage groove 231 is also shown in Fig. 3 and described in lines 23-25 on page 14 of the specification.

Reference to the "flashing member " has been deleted from the claims.

The groove in the bottom member of the window frame is indicated by the reference number 135 in Fig. 5. This groove forms part of the complex drainage grooves of original claim 13, which refers to the total groove composed of the grooves in the different members of the frame and sash. For the frame, the complex drainage grooves are the combination of the side grooves 121 with the specially shaped lower parts 125 and the bottom groove 135. For the sash, the complex drainage grooves are the combination of the side grooves 221, specially shaped lower parts 225, and the bottom drainage groove 231.

The word "reservoir" is used in the specification in connection with the reference number 135. It is clear that the reservoir is in the shape of a groove. As is indicated in the specification, the window is normally installed in a sloped roof. Thus, in the installed position, the parts shown in Fig. 5 are rotated somewhat counterclockwise from the position shown in Fig. 5. Lines 18-20 on page 13 of the specification disclose that the reservoir 135 extends along the inner surface of the bottom frame member, and lines 27-29 disclose that

reservoir 135 ends at the lateral frame members 120 of the window frame. Thus, the groove shape of the reservoir is clear. By the present Amendment, the specification has been amended to state that the reservoir is in the shape of a groove.

The sealing element being sandwiched between the sealing surfaces is shown in Figs. 4-6. Replacement drawing sheets containing Figs. 4-6 are submitted with the present Amendment to indicate the sealing element as '12' in Fig. 4, as '14' in Fig. 5, and as '16' in Fig. 6. These reference numbers also have been inserted in rewritten paragraphs by the present Amendment.

The exits at both ends of the lateral frame members are shown in Fig. 3 by the reference numbers 232 and described in the last paragraph on page 14 of the specification, but they were called "drainage grooves" rather than "exits". By the present Amendment, that paragraph has been amended to use the term "exits" as an alternative to "drainage grooves". Reference to "flashing member" has been deleted from the claims.

The drainage groove having a lower end portion having a width which is reduced as the position for measuring the width approaches the bottom member of the window frame is in Figs. 1 and 3. The bottom of the lowermost part 225 of the drainage groove 221 in the frame side member gradually rises so that it comes to coincide with the upper side of the frame bottom member. The lowermost part 225 also becomes narrower towards the frame bottom member. Thus, the width of the lowermost part 225 is reduced as the position for measuring the width approaches the bottom member of the window frame. By the present Amendment, a description of this taper has been added to the specification.

The top surface of the sash flange 222 being inwardly inclined can be seen in Fig. 4, where the portion of the top surface of the sash flange 222 at the junction with the vertical

surface of the lateral frame member 220 is slightly lower than the portion of the top surface of the sash flange 222 that is to the right of the portion of the top surface at the junction.

With respect to the rejection of claims, and particularly claim 15, under 35 USC 112 as being indefinite, the applicant points out that claim 15 recites that “a cross section of the second drainage groove surface in each of the lateral frame members of the sash frame comprises a portion of the outer surface of the sash frame and a portion of the top surface of the flange of the sash frame”. Thus, the flat top surface of the flange shown in Fig. 6, where the flange is indicated with the reference number 212, is only a part of the groove. The outer surface of the sash frame, which is vertical in Fig. 6, is another part. Together, the parts define a concave groove. As is indicated in the specification, the window is normally installed in a sloped roof. Thus, in the installed position, the parts shown in Fig. 6 are rotated somewhat counterclockwise from the position shown in Fig. 6, with the flat top surface of the flange 212 extending up at an angle on one side of the groove and a portion of the outer surface of the sash frame extending up on the other side.

With respect to the double-patenting rejection of claims 19-25, claims 19-25 have been cancelled.

Reconsideration of the rejection of claims 10, 13, 19 and 20 under 35 USC 103 as being unpatentable over Leue et al. in view of Ripley is respectfully requested. In the rejection, the Examiner indicates that the numeral 16 refers to a groove capable of drainage formed in the window frame. However, Ripley does not disclose to one of ordinary skill in the art that the numeral 16 refers to a groove capable of drainage. Instead, Ripley makes clear in column 2, lines 25-27 that the numeral 16 is a double rabbet that takes single or double glazing. Thus, Ripley discloses to one of ordinary skill in the art that the rabbet 16 is filled with a pane of glass

and is not a groove capable of drainage.

Furthermore, if element 16 were the second groove of claim 10, it would not include the flange (B) shown in the Examiner's sketch. Claim 10 recites that the second drainage groove has a concave surface extending along the outer surface of the sash frame, and includes a flange protruding from the outer surface of the sash frame. In contrast, the rabbet 16 of Leue et al. and the flange (B) shown in the Examiner's sketch are at opposite ends of the outer surface of the sash frame of Leue et al. Thus, the rabbet 16 of Leue et al. does not include a flange protruding from the outer surface of the sash frame. In addition, the flange (B) shown in the Examiner's sketch does not protrude from the outer surface of the sash frame, as is recited in claim 10, but rather extends parallel to the outer surface. The outer surface of flange (B) is flush with the rest of the outer surface of the sash frame.


With respect to the feature of the second drainage groove of claim 10 having a concave surface, there is no suggestion in Leue et al. that the rabbet 16 is concave. The rabbet 16 does not appear to be concave, and Leue et al. does not state that the rabbet 16 is "concave". In contrast, the present application states that the groove of claim 10 has a "concave" surface.

In view of the foregoing, it is submitted that claim 10 is allowable and that the claims that depend from claim 10 are allowable with it.

In view of the foregoing, it is submitted that all of the claims are allowable and that the application is in condition for allowance. An early notice to that effect is respectfully requested.

Respectfully submitted,

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John P. Shannon
Registration No. 29,276

Serial No. 10/580,006
Amendment

Merek, Blackmon & Voorhees, LLC
673 South Washington Street
Alexandria, VA 22314
(703) 684-5633
Customer No. 48234

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Alexandria, VA 22313-1450

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John P. Shannon